

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, February 2, 2015

Those Present: Mr. Dick Zimmerman, Chairman
Mrs. Maggi Hays, Board Member
Mr. Rick Stup, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Mr. Bob Shrum, Alcoholic Bev. Inspector
Ms. Kathy L. Vahle, Administrator
Mrs. Sandra Rees, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 9 am by Chairman Zimmerman.

1. **Old Dominion Grill** – Ms. Vahle stated she received a request for an Outside Patio area. They also submitted a diagram and a security plan. Commissioner Stup stated they did a good job drawing up the diagram and security plan and asked the staff to let them know.

MOTION: Mr. Stup made a motion for approval.

SECOND: Mrs. Hays seconded the motion

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays – Aye
Mr. Zimmerman – Aye

The vote was unanimous. ***Aye – 3 Nays – 0***
(Motion Passed)

2. Decision Required: Transfer

TRANSFER FROM:

RE: Kristen Anderson, Elizabeth
O’Connell and Joseph
Rokisky for the use of
HHCC, LLC

t/a Holly Hills Country
Club
5502 Mussetter Rd.
Ijamsville, MD 21754
Class C, On Sale, Beer, Wine & Liquor CC

TRANSFER TO:

RE: Joseph F. Rokisky, Kristen
Anderson and
Michele L. Poulos
for the use of HHCC, LLC
t/a Holly Hills Country
Club
5502 Mussetter Rd.
Ijamsville, MD 21754
Class C, On Sale, Beer, Wine & Liquor CC

Ms. Vahle swore in the applicants (See Sign In Sheet). There are no pending items. Inspector DeLauter stated they are compliant. Commissioner Stup asked about their hours and the outside area.

MOTION: Mrs. Hays made a motion for approval

SECOND: Mr. Stup seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mrs. Hays – Aye
Mr. Stup - Aye
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nays – 0**
(Motion Passed)

3. Decision Required: Transfer

TRANSFER FROM:

RE: Elspeth Gillian Berluti

for the use of Market on
Market LLC
t/a Market on Market
109 N. Market St.
Frederick, MD 21701
Class A, Off Sale, Beer and Wine
Sunday Permit

TRANSFER TO:

RE: Elspeth Gillian Berluti
for the use of Market on
Market LLC
t/a Market on Market
113 N. Market St.
Frederick, MD 21701
Class A, Off Sale, Beer and Wine
Sunday Permit

Ms. Vahle swore in the applicants (See Sign In Sheet). The pending items are: the Occupancy Permit, the Fire Marshal, the Retail Sales Tax license correction. Mrs. Berluti, the licensee, stated they were not ready yet and anticipates opening within the first week of March. Inspector Shrum stated they were not ready. Ms. Vahle stated licenses could not be issued during the months of March and April, so it would have to be February 28 or May 1. Chairman Zimmerman asked if there was access between 111 and 113 between the adjoining walls? Mrs. Berluti stated there was no access because there is an alley between the two buildings.

MOTION: Mr. Stup made a motion for a conditional approval for May 4, 2015.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays - Aye
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nays – 0**
(Motion Passed)

4. Decision Required: New

RE: David Epstein
for the use of USA Cuisine LLC
t/a Market Street Fusion
41 S. Market St.
Frederick, MD 21701
Class B, On Sale, Beer, Wine and Liquor

Ms. Vahle swore in the applicants (See Sign In Sheet). There are no pending items. Inspector Shrum stated they are compliant. Ms. Vahle stated the licensee submitted a request for entertainment but will have to amend it because the Fire Marshal did not approve the location area. Mr. Epstein gave the Board pictures of the new location area. Charlie Green, Fire Marshal stated he did approve the pictures showing the new location with room for a single entertainer. Commissioner Stup stated he or the Inspectors could not determine how many tables were in the area on the sketch. He asked Mr. Epstein when he revises his sketch to note how many tables will be in that area. Commissioner Stup asked the Fire Marshal if he required a better sketch showing the seating. The Fire Marshal stated currently they do not because they send Inspectors to the site. Chairman Zimmerman asked about what type of entertainment he planned to have? Mr. Epstein stated he planned for a string instrument or keyboard with one person. Commissioner Stup asked if the rear exit would allow access? Mr. Epstein stated it was a Fire Exit. Commissioner Stup asked him to mark that on the sketch.

MOTION: Mr. Stup made a motion for approval pending the entertainment is approved by the Fire Marshal and a revised sketch submitted showing area where entertainment and tables and chairs will be placed. Also the Fire Exit will be marked.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays - Aye
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nays – 0**
(Motion Passed)

5. Decision Required: Transfer

TRANSFER FROM: RE: Roy T. Phillips, Donald Cook,
and Kathy Deskins for the use
of Bonefish/Virginia, LP
t/a Bonefish Grill
1305 West 7th Street
Frederick, MD 21702
Class B, On Sale, Beer, Wine and Liquor

TRANSFER TO: RE: Holly Rae Gustafson and
Kathy Deskins for the
use of Bonefish/Virginia, LP
t/a Bonefish Grill
1305 West 7th Street
Frederick, MD 21702
Class B, On Sale, Beer, Wine and Liquor

Ms. Vahle swore in the applicants (See Sign In Sheet). There are no pending items. Inspector Shrum stated they are compliant. Nicholas Kallis, Attorney represented the licensees. Chairman Zimmerman asked how many employees were Alcohol Awareness trained? Mrs. Gustafson stated all employees are trained, some were trained online, but 7 actually are class certified. Chairman Zimmerman stated there was pending legislation that there has to be one person with Alcohol Awareness training on duty per shift. Mrs. Gustafson stated all the Managers are certified and she is a trainer and can train the rest of the employees. Ms. Vahle stated they also submitted a request for an outside area which has been ongoing.

MOTION: Mrs. Hays made a motion for approval including the outside area.

SECOND: Mr. Stup seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mrs. Hays – Aye
Mr. Stup - Aye
Mr. Zimmerman - Aye

The vote was unanimous. ***Aye – 3 Nays – 0***
(Motion Passed)

Nick Kallis stated he felt the Board was well served by the administrative staff of the Liquor Board as they are very diligent in making sure all the applications and documents are correct. Chairman Zimmerman thanked him and stated, “we are proud of them as they make our life a lot easier.”

6. Decision Required: Transfer

TRANSFER FROM:

RE: Sidara Lok and Jing Tran
for the use of Munich SLK, Inc.
t/a Sunshine Liquors
701 Motter Ave.
Frederick, MD 21701
Class A, Off Sale, Beer, Wine and Liquor
Sunday Permit

TRANSFER TO:

RE: Jin Qiu Lin and Ying Hua Wu
for the use of Tu Hao, Inc.
t/a Sunshine Liquors
701 Motter Ave.
Frederick, MD 21701
Class A, Off Sale, Beer, Wine and Liquor
Sunday Permit

Ms. Vahle swore in the applicants (See Sign In Sheet). The pending item is: the Bulk Transfer permit. Inspector Shrum stated they are compliant. The licensee stated they applied for the Bulk Transfer and will take the Alcohol Awareness training.

MOTION: Mr. Stup made a motion for a conditional approval for February 23, 2015.

SECOND: Mrs. Hays seconded the motion.

MOTION: Mr. Stup amended a motion for a conditional approval for May 4, 2015.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays - Aye
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nays – 0**
(Motion Passed)

7. Decision Required: Transfer

TRANSFER FROM: RE: Kushnood Iqbal, Sadia Chohan
and Zafar Iqbal for the use of
Excell Corp. t/a Thurmont
Liberty
227 N Church Street
Thurmont, MD 21788
Class A, Off Sale, Beer & Light Wine,
Sunday Permit

TRANSFER TO: RE: Yobu Alugula and Samuel F.
Feaser for the use of
MYRAT LLC
t/a Thurmont Liberty
227 N Church Street
Thurmont, MD 21788
Class A, Off Sale, Beer & Light Wine,
Sunday Permit

Ms. Vahle swore in the applicants (See Sign In Sheet). The pending item is: the Occupancy Permit. Inspector DeLauter stated they are compliant, but asked the licensees to have the Regulations book and their schedules and invoices available when he inspects. The licensee stated they had applied for the Occupancy Permit. Commissioner Stup asked what hours they would be selling alcohol as their submitted hours are listed as 24 hrs. and you cannot sell alcohol after 2am. The licensee stated that from 2am until 6 am no alcohol is sold and if someone comes in after 2am they are not served and told no service. Chairman Zimmerman asked them to post a sign stating this.

MOTION: Mr. Stup made a motion for approval.

SECOND: Mrs. Hays seconded the motion.

MOTION: Mr. Stup amended a motion for a conditional approval for February 23, 2015.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays – Aye
Mr. Zimmerman – Aye

The vote was unanimous. **Aye – 3 Nays – 0**
(Motion Passed)

8. Decision Required: Approval of the Staff Meeting and Public Meeting Minutes for January 5, 2015.

MOTION: Mrs. Hays made a motion to approve the Staff Meeting and Public Meeting Minutes for January 5, 2015.

SECOND: Mr. Stup seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mrs. Hays – Aye
Mr. Stup – Aye
Mr. Zimmerman – Aye

The vote was unanimous.

Aye – 3 Nays – 0
(Motion Passed)

The meeting was adjourned at 10:15AM.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees